

From: Steve Linberg
To: Microsoft ATR
Date: 1/23/02 9:04am
Subject: Microsoft Settlement

Dear Sirs,

I am writing to state my concerns about the proposed settlement, which I believe are insufficient to curb Microsoft's long history of anticompetitive practice and behavior.

The findings of fact confirmed Microsoft's monopoly status -- findings of extraordinary gravity whose remedial consequences should carry equal weight. The proposed settlement allows far too many loopholes and ways for Microsoft to avoid its full impact, and continue to create its own self-serving definitions for how it should apply (for example, deciding for itself which Windows APIs to open rather than being compelled to open them all). It also allows Microsoft to continue many anticompetitive practices it has employed for years (like retaliating against OEMs shipping a PC with an OS other than Windows); it also appears to lack any real teeth for enforcement, providing only for investigative capacity of a "Technical Committee", but leaving all enforcement to the legal system, where Microsoft has the money and time to stonewall, delay, and avoid justice, which they have already shown their propensity for.

If Microsoft in its present 95% market share collapsed like Enron, imagine the catastrophic damage to the US and world economies. Microsoft's anticompetitive practices and monopolistic behavior have illegally crushed competition and stifled innovation, the lifeblood of the American economy. Small businesses (and even large ones) must be given a chance to compete on a level playing field. Microsoft must be stripped of the advantages it gained through its monopolistic practices, and quickly. I believe that the proposed settlement does not go nearly far enough to ensure that this will happen.

Steve Linberg
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Be kind. Remember, everyone you meet is fighting a hard battle.